

*UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA*

CASSIA ENRIGHT , A MINOR and	:	
DONALD ENRIGHT AND SANDRA	:	
ENRIGHT, AS PARENTS AND:	:	
GUARDIAN OF CASSIA ENRIGHT and	:	
DONALD AND SANDRA ENRIGHT IN	:	Civil Action
THEIR OWN RIGHT	:	
	:	No. 04-cv-1653
v.	:	
	:	
SPRINGFIELD SCHOOL DISTRICT	:	
and	:	
DR. JOSEPH O'BRIEN,	:	
SUPERINTENDENT	:	
SPRINGFIELD SCHOOL DISTRICT, et al.:	:	

**PLAINTIFFS FIRST SUPPLEMENTAL  
INSTRUCTION**

For a first supplemental instruction. Plaintiffs propose:

**SUPPLEMENTAL INSTRUCTION**

**TAKE PLAINTIFF AS YOU FIND HER**

A defendant is responsible for the consequences of his actions against the plaintiff, Cassia Enright, as the plaintiff exists. A defendant or defendants takes a plaintiff as he or they find her and is responsible for the consequences of his or their actions, even if the consequences would be greater towards the plaintiff than some other person without his condition or conditions. Under this rule, the defendant or defendants need not be aware of the specific condition or vulnerabilities of the plaintiff.<sup>1</sup>

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<sup>1</sup> Offsend v. Atlantic Refining Co., 322 Pa. 399, 185 A.745

Respectfully submitted,

/s/ Andrew F. Erba

Andrew F. Erba, Esquire

Sherri Eyer, Esquire

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CERTIFICATE OF SERVICE

It is certified that the foregoing was served on the following, at the addresses and manner below:

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